Remarks

Applicants respectfully request reconsideration of the present application in light of the foregoing amendments and following remarks.

The specification has been amended to address minor matters of form (e.g., typographical and grammatical issues). No new matter is added.

Claims 1-26 are pending. Claims 1-5, 7, 8, and 21 are independent.

Claims 24-26 are added. No new matter is added.

Claims 3-9, 12-13, 17-18, and 21-22 are amended. No new matter is added.

Claims 1-23 are rejected. These rejections are respectfully traversed.

Patentability of Claims 1-23 over Knappe and Milovanovic under 35 U.S.C. § 103(a)

Claims 1-23 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,603,774 to Knappe et al. ("Knappe") in view of U.S. Patent No. 7,140,016 to Milovanovic, et al. ("Milovanovic"). These rejections are respectfully traversed.

Claims 1 and 9-13

Independent claim 1 is directed to a method of allocating tasks to a plurality of DSPs to handle calls in a voice gateway that receives calls, said calls utilizing a plurality of codecs, at least some of which utilize different amounts of DSP resources, and recites:

> first determining if a particular call can be assigned to a DSP on a best fit basis, and
> if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis so as to balance the load on the plurality of DSPs.

The Office Action ("Action") relies on various passages in Knappe and Milovanovic for its rejection of independent claim 1. Applicants respectfully submit, however, that Knappe and

Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 1 for at least the reasons set forth below.

Knappe does not teach or suggest "first determining if a particular call can be assigned to a DSP on a best fit basis," as recited in independent claim 1. The claimed assigning of "a DSP on a best fit basis" generally includes determining if a DSP exists with only enough resources remaining to handle the incoming call, or if a DSP exists with the same first channel penalty as the incoming call (*see, e.g.,* the present application at page 6, line 10, to page 7, line 2). Resources can be allocated among a plurality of DSPs in a voice gateway by assigning calls with similar requirements to a sub pool of similarly situated DSPs, or codec resource groups. Use of the recited best fit basis thus desirably increases system efficiency by first attempting to use all available resources of the plurality of DSPs.

In contrast, Knappe does not teach or suggest any resource allocation among a plurality of DSPs; rather, Knappe describes a system for selecting common codecs in order to establish a connection between two different telephony systems (*see, e.g.,* col. 3, lines 7-15 and 47-65). Thus, Knappe's "best fit" is not used for specific DSP resource allocation but for assigning a codec on a "best known quality pairing" so that two different telephony systems may connect over a packet-based telephony network. Therefore, Applicants submit that Knappe merely describes a system for assigning similar codecs between two calls and not allocating a single call to a DSP with just enough resources available to handle the particular call, let alone "first determining if a particular call can be assigned to a DSP on a best fit basis."

Furthermore, even if Knappe's "best fit" were comparable to the "best fit" recited in the claim (which it is not), Knappe's *implementation* of its "best fit" is entirely different from that of the "best fit" recited in the claim. "Best fit" as recited in the claim is used as part of a primary,

initial step of DSP resource allocation, as described in the present application at page 2, line 23, to page 4, line 7, for example. Calls are typically *first* assigned on a best fit basis to codec resource groups that include similarly situated DSPs. Thus, the use of "best fit" as recited in the claim desirably plays a primary role in determining how tasks are allocated to a plurality of DSPs in the voice gateway. In fact, the language of claim 1 itself indicates that the recited method does not even involve an alternate resource allocation method unless there is no best fit for an incoming call as per the call's resource requirements and any first channel penalty the call may have.

In contrast, Knappe's "best fit" is not used as part of any primary, initial step of DSP resource allocation; rather, it is used as a secondary method for establishing a codec between two separate calls in a telephony system (*see, e.g.,* col. 3, lines 47-65). In fact, Knappe's "best fit" is merely an alternative option if the codec proxy system 24 (shown in Fig. 1) is first unable to find a common codec between two different telephony systems because one does not exist. If there is no common codec, the codec proxy system will fall back on a codec request that best fits the user codec profile, wherein "best fit" is merely described as "best quality; lowest bandwidth, etc." (col. 3, lines 49-53).

Additionally, Knappe does not teach or suggest "if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis so as to balance the load on the plurality of DSPs," as noted in the Action at page 2, paragraph 4.

Milovanovic does not cure the deficiencies of Knappe. For example, Milovanovic does not teach or suggest at least "if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis so as to balance the load on the plurality of DSPs," as recited in independent claim 1.

The Action states at page 2, paragraph 5, that "Milovanovic teaches...if a *call cannot be assigned on a best fit basis* assigning said particular *call* on a load balancing basis so as to balance the load on the plurality of DSPs." Applicants respectfully submit that this is a mischaracterization of Milovanovic as Milovanovic does not teach or suggest any system or method pertaining to calls at all, let alone an initial assignment on a best fit basis. Milovanovic does not describe any systems or methods to be used in a telephony system or voice gateway; rather, Milovanovic describes a system and method to be used in streaming media applications and/or media players (*see, e.g.,* col. 1, lines 46-67). In fact, Milovanovic even states it stems from "[t]he need for a [quality of service] QoS manager within a terminal/network node (client/server) stem[ming] specifically from real-time service requirements of all streaming-media based applications" (see col. 1, lines 46-48).

Furthermore, Milovanovic does not teach or suggest load balancing as recited in independent claim 1. The recited load balancing generally plays a prominent role in allocating tasks to DSPs when a particular call cannot be assigned to a DSP on a best fit basis (*see, e.g.,* the present application at page 3, lines 4-10). If a call cannot be first assigned to the best fit (BF) pool (e.g., because there is no DSP resource group in the BF pool with the same remaining resources required by the call), a second pool called the Load Balancing (LB) pool is interrogated to determine which DSP within it should be used for the call. Each entry in the LB pool indicates the DSPs that are handling a particular number of calls. Initially, all DSPs in the system are placed in the 0th entry of the LB pool. Thus, if a call does not fit the very specific resources of one of the BF pool resource groups, it will automatically be shunted into the lowest load grouping of DSPs in the LB pool.

In contrast, the system described in Milovanovic is used for integrating general purpose processor (GPP) streaming media applications and/or media players with DSP media algorithms. It uses a certain method of load balancing merely for allowing the main user (client) application to run on the GPP and specific services to run on the DSPs on a load-sharing basis (see, e.g., col. 9, lines 20-22). Thus, Milovanovic's load balancing does not involve any type of task allocation; rather, Milovanic is merely concerned with determining start times for different frames in media streaming applications so that the frames do not miss their deadlines. Allocation of resources in Milovanovic only occurs in the event of a deadline miss (so that execution timing can be changed to decrease the likelihood of downstream deadline misses). Milovanic does not teach or suggest the recited load balancing, let alone if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis so as to balance the load on the plurality of DSPs, as recited in independent claim1.

Therefore, Applicants respectfully submit that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 1.

Accordingly, the 35 U.S.C. § 103(a) rejection of independent claim 1 should be withdrawn.

Dependent claims 9-13 depend directly or indirectly from independent claim 1 and are allowable for at least the reasons presented above with respect to the parent claim 1. Dependent claims 9-13 are also individually patentable.

Accordingly, applicants respectfully submit that the 35 U.S.C. § 103(a) rejections of dependent claims 9-13 should be withdrawn.

Claims 2 and 14-18

Independent claim 2 is directed to a system for allocating a plurality of DSPs to handle calls in a voice gateway that receives calls, said calls utilizing a plurality of codecs, at least some of said codecs requiring different amounts of DSP resources, and recites:

> means for first determining if a particular call can be assigned to a DSP on a best fit basis, and
> means, operable if a call can not be assigned on a best fit basis, for assigning the call on a load balance basis so as to balance the load on the plurality of DSPs.

The Action relies on various passages in Knappe and Milovanovic for its rejection of independent claim 2. Applicants respectfully submit, however, that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 2 for at least the reasons set forth below.

As discussed above, Knappe does not teach or suggest first determining if a particular call can be assigned to a DSP on a best fit basis. Thus, Knappe does not teach or suggest at least "means for first determining if a particular call can be assigned to a DSP on a best fit basis," as recited in independent claim 2.

Additionally, Knappe does not teach or suggest "means, operable if a call can not be assigned on a best fit basis, for assigning the call on a load balance basis so as to balance the load on the plurality of DSPs," as noted in the Action at page 3, paragraph 7.

Milovanovic does not cure the deficiencies of Knappe. As discussed above, Milovanovic does not teach or suggest if a call can not be assigned on a best fit basis, assigning said particular call on a load balance basis so as to balance the load on the plurality of DSPs. Thus, Milovanovic does not teach or suggest at least "means, operable if a call can not be assigned on a best fit basis, for assigning the call on a load balance basis so as to balance the load on the plurality of DSPs," as recited in independent claim 2.

Therefore, Applicants respectfully submit that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 2.

Accordingly, the 35 U.S.C. § 103(a) rejection of independent claim 2 should be withdrawn.

Dependent claims 14-18 depend directly or indirectly from independent claim 2 and are allowable for at least the reasons presented above with respect to the parent claim 2. Dependent claims 14-18 are also individually patentable.

Accordingly, applicants respectfully submit that the 35 U.S.C. § 103(a) rejections of dependent claims 14-18 should be withdrawn.

Claims 3 and 6

Independent claim 3 as amended is directed to a method of allocating a plurality of DSPs to handle calls in a voice gateway, said calls utilizing a plurality of different codecs, said codecs requiring a plurality of different amounts of DSP resources, and recites:

> first determining if the call can be assigned to a DSP on a best fit basis utilizing a best fit pool which indicates the DSPs that would be fully loaded by a call using a codec in an associated resource group, the codecs in each resource group requiring substantially the same amount of resources; and
> if the call can not be assigned on a best fit basis, assigning the call to a DSP with a lightest load utilizing a load balancing pool which indicates the number of calls on each DSP.

The Action relies on various passages in Knappe and Milovanovic for its rejection of independent claim 3. Applicants respectfully submit, however, that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 3 for at least the reasons set forth below.

As discussed above, Knappe does not teach or suggest first determining if a particular call can be assigned to a DSP on a best fit basis. Thus, Knappe does not teach or suggest at least "first determining if the call can be assigned to a DSP on a best fit basis utilizing a best fit pool which indicates the DSPs that would be fully loaded by a call using a codec in the associated resource group, the codecs in each resource group requiring substantially the same amount of resources," as recited in independent claim 3.

Additionally, Knappe does not teach or suggest "if the call can not be assigned on a best fit basis, assigning the call to a DSP with a lightest load utilizing a load balancing pool which indicates the number of calls on each DSP," as noted in the Action at page 4, paragraph 10.

Milovanovic does not cure the deficiencies of Knappe. As discussed above, Milovanovic does not teach or suggest if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis so as to balance the load on the plurality of DSPs. Thus, Milovanovic does not teach or suggest at least "if the call can not be assigned on a best fit basis, assigning the call to a DSP with the lightest load utilizing a load balancing pool which indicates the number of calls on each DSP," as recited in independent claim 3.

Therefore, Applicants respectfully submit that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 3.

Accordingly, the 35 U.S.C. § 103(a) rejection of independent claim 3 should be withdrawn.

Dependent claim 6 depends from independent claim 3 and is allowable for at least the reasons presented above with respect to the parent claim 3. Dependent claim 6 is also individually patentable.

Accordingly, applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of dependent claim 6 should be withdrawn.

Claim 4

Independent claim 4 as amended is directed to a system for allocating a plurality of DSPs to handle calls in a voice gateway, said calls utilizing a plurality of different codecs, said codecs requiring a plurality of different amounts of DSP resources, and recites:

> means for first determining if the call can be assigned to a DSP on a best fit basis utilizing a best fit pool which indicates the DSPs that would be fully loaded by a call using a codec in the associated resource group; and
> means, operable if a call can not be assigned on a best fit basis, for assigning the call to a DSP utilizing a load balancing pool which indicates the number of calls on each DSP.

The Action relies on various passages in Knappe and Milovanovic for its rejection of independent claim 4. Applicants respectfully submit, however, that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 4 for at least the reasons set forth below.

As discussed above, Knappe does not teach or suggest first determining if a particular call can be assigned to a DSP on a best fit basis. Thus, Knappe does not teach or suggest at least "means for first determining if the call can be assigned to a DSP on a best fit basis utilizing a best fit pool which indicates the DSPs that would be fully loaded by a call using a codec in the associated resource group," as recited in independent claim 4.

Additionally, Knappe does not teach or suggest "means, operable if a call can not be assigned on a best fit basis, for assigning the call to a DSP utilizing a load balancing pool which indicates the number of calls on each DSP," as noted in the Action at page 4, paragraph 13.

Milovanovic does not cure the deficiencies of Knappe. As discussed above, Milovanovic does not teach or suggest if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis so as to balance the load on the plurality of DSPs. Thus, Milovanovic does not teach or suggest at least "means, operable if a call can not be assigned on a best fit basis, for assigning the call to a DSP utilizing a load balancing pool which indicates the number of calls on each DSP," as recited in independent claim 4.

Therefore, Applicants respectfully submit that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 4.

Accordingly, the 35 U.S.C. § 103(a) rejection of independent claim 4 should be withdrawn.

Claim 5

Independent claim 5 as amended is directed to a method of allocating a plurality of resources to handle tasks, said tasks utilizing a plurality of different amounts of resources, and recites:

> first determining if a task can be assigned to a resource on a best fit basis utilizing a best fit pool which indicates the resources that would be substantially fully loaded by a task in an associated resource group, the codecs in each resource group requiring substantially the same amount of resources; and
> if a task can not be assigned on a best fit basis, assigning the task to a resource utilizing a load balancing pool which indicates the number of tasks assigned to each resource.

The Action relies on various passages in Knappe and Milovanovic for its rejection of independent claim 5. Applicants respectfully submit, however, that Knappe and Milovanovic,

taken individually or in combination, do not teach or suggest all of the features recited in independent claim 5 for at least the reasons set forth below.

As discussed above, Knappe does not teach or suggest first determining if a particular call can be assigned to a DSP on a best fit basis. Thus, Knappe does not teach or suggest at least "first determining if a task can be assigned to a resource on a best fit basis utilizing a best fit pool which indicates the resources that would be substantially fully loaded by a task in the associated resource group, the codecs in each resource group requiring substantially the same amount of resources," as recited in independent claim 5.

Additionally, Knappe does not teach or suggest "if a task can not be assigned on a best fit basis, assigning the task to a resource utilizing a load balancing pool which indicates the number of tasks assigned to each resource," as noted in the Action at page 5, paragraph 16.

Milovanovic does not cure the deficiencies of Knappe. As discussed above, Milovanovic does not teach or suggest if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis so as to balance the load on the plurality of DSPs. Thus, Milovanovic does not teach or suggest at least "if a task can not be assigned on a best fit basis, assigning the task to a resource utilizing a load balancing pool which indicates the number of tasks assigned to each resource," as recited in independent claim 5.

Therefore, Applicants respectfully submit that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 5.

Accordingly, the 35 U.S.C. § 103(a) rejection of independent claim 5 should be withdrawn.

Claims 7 and 19

Independent claim 7 as amended is directed to a method of allocating tasks to a plurality

of DSPs to handle calls in a voice gateway that receives calls, said calls utilizing a plurality of

different codecs, at least some of said codecs requiring different amounts of DSP resources, and

recites:

> establishing a best fit pool which has a number of codec resource groups, the
> codecs in each codec resource group utilizing the same amount of DSP resource, and for
> each particular resource group indicating which DSPs would be fully loaded if they were
> assigned a call using a codec in the particular resource group;
> establishing a load balancing pool that has a number of call load groups, the DSPs
> in each call load group handling the same number of calls;
> first determining if a particular call can be assigned to a DSP based on the
> information in the best fit pool; and
> if a call can not be assigned on a best fit basis, assigning said particular call on a
> load balancing basis using the information in said load balancing pool.

The Action relies on various passages in Knappe and Milovanovic for its rejection of

independent claim 7. Applicants respectfully submit, however, that Knappe and Milovanovic,

taken individually or in combination, do not teach or suggest all of the features recited in

independent claim 7 for at least the reasons set forth below.

As discussed above, Knappe does not teach or suggest first determining if a particular

call can be assigned to a DSP on a best fit basis. Thus, Knappe does not teach or suggest at least

"first determining if a particular call can be assigned to a DSP based on the information in the

best fit pool," as recited in independent claim 7.

Additionally, Knappe does not teach or suggest "if a call can not be assigned on a best fit

basis, assigning said particular call on a load balancing basis using the information in said load

balancing pool," as noted in the Action at page 6, paragraph 20.

Furthermore, Knappe does not teach or suggest "establishing a best fit pool which has a

number of codec resource groups, the codecs in each codec resource group utilizing the same

amount of DSP resource, and for each particular resource group indicating which DSPs would be fully loaded if they were assigned a call using a codec in the particular resource group." As discussed above, Knappe's "best fit" is used merely to assign similar codecs between two calls, not to allocate a single call to a DSP with just enough resources available to handle the particular call. Therefore, Knappe does not teach or suggest the claimed codec resource groups, let alone "establishing a best fit pool which has a number of codec resource groups," as recited in independent claim 7.

Milovanovic does not cure the deficiencies of Knappe. As discussed above, Milovanovic does not teach or suggest if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis so as to balance the load on the plurality of DSPs. Thus, Milovanovic does not teach or suggest at least "if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis using the information in said load balancing pool," as recited in independent claim 7.

Additionally, Milovanovic does not teach or suggest "establishing a load balancing pool that has a number of call load groups, the DSPs in each call load group handling the same number of calls." As discussed above, Milovanovic does not teach or suggest any system or method pertaining to calls; rather, it is merely concerned with determining start times for different frames in media streaming applications. Therefore, Knappe does not teach or suggest the claimed call load groups, let alone "establishing a load balancing pool that has a number of call load groups," as recited in independent claim 7.

Therefore, Applicants respectfully submit that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 7.

Accordingly, the 35 U.S.C. § 103(a) rejection of independent claim 7 should be withdrawn.

Dependent claim 19 depends from independent claim 7 and is allowable for at least the reasons presented above with respect to the parent claim 7. Dependent claim 19 is also individually patentable.

Accordingly, applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of dependent claim 19 should be withdrawn.

Claims 8 and 20

Independent claim 8 as amended is directed to a system for allocating tasks to a plurality of DSPs to handle calls in a voice gateway that receives calls, said calls utilizing a plurality of different codecs, at least some of said codecs requiring different amounts of DSP resources, and recites:

> a best fit pool which has a number of codec resource groups, the codecs in each codec resource group utilizing the same amount of DSP resources to handle a call, and for each particular resource group indicating which DSPs would be fully loaded if they were assigned a call using a codec in the particular resource group;
> a load balancing pool which has a number of call load groups, the DSPs in each call load group handling the same number of calls;
> means for determining if a particular call can be assigned to a DSP based on the information in the best fit pool; and
> means, operable if a call can not be assigned on a best fit basis, for assigning said particular call on a load balancing basis using the information in said load balancing pool.

The Action relies on various passages in Knappe and Milovanovic for its rejection of independent claim 8. Applicants respectfully submit, however, that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 8 for at least the reasons set forth below.

As discussed above, Knappe does not teach or suggest first determining if a particular call can be assigned to a DSP on a best fit basis. Thus, Knappe does not teach or suggest at least "means for determining if a particular call can be assigned to a DSP based on the information in the best fit pool," as recited in independent claim 8.

Additionally, Knappe does not teach or suggest "means, operable if a call can not be assigned on a best fit basis, for assigning said particular call on a load balancing basis using the information in said load balancing pool," as noted in the Action at page 7, paragraph 23.

Furthermore, Knappe does not teach or suggest "a best fit pool which has a number of codec resource groups, the codecs in each codec resource group utilizing the same amount of DSP resources to handle a call, and for each particular resource group indicating which DSPs would be fully loaded if they were assigned a call using a codec in the particular resource group." As discussed above, Knappe's "best fit" is used merely to assign similar codecs between two calls, not to allocate a single call to a DSP with just enough resources available to handle the particular call. Therefore, Knappe does not teach or suggest the claimed codec resource groups, let alone "a best fit pool which has a number of codec resource groups," as recited in independent claim 8.

Milovanovic does not cure the deficiencies of Knappe. As discussed above, Milovanovic does not teach or suggest if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis so as to balance the load on the plurality of DSPs. Thus, Milovanovic does not teach or suggest at least "means, operable if a call can not be assigned on a best fit basis, for assigning said particular call on a load balancing basis using the information in said load balancing pool," as recited in independent claim 8.

Additionally, Milovanovic does not teach or suggest "a load balancing pool which has a number of call load groups, the DSPs in each call load group handling the same number of calls." As discussed above, Milovanovic does not teach or suggest any system or method pertaining to calls; rather, it is merely concerned with determining start times for different frames in media streaming applications. Therefore, Knappe does not teach or suggest the claimed call load groups, let alone "a load balancing pool which has a number of call load groups," as recited in independent claim 8.

Therefore, Applicants respectfully submit that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 8.

Accordingly, the 35 U.S.C. § 103(a) rejection of independent claim 8 should be withdrawn.

Dependent claim 20 depends from independent claim 8 and is allowable for at least the reasons presented above with respect to the parent claim 8. Dependent claim 20 is also individually patentable.

Accordingly, applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of dependent claim 20 should be withdrawn.

Claims 21-23

Independent claim 21 as amended is directed to a computer readable medium having stored thereon sequences of instructions for allocating a plurality of resources to handle tasks, said tasks utilizing a plurality of different amounts of resources, and recites:

> first determining if a task can be assigned to a resource on a best fit basis utilizing a best fit pool which indicates the resources that would be substantially fully loaded by a

task in the associated resource group, the codecs in each resource group requiring substantially the same amount of resources; and

> if a task can not be assigned on a best fit basis, assigning the task to a resource utilizing a load balancing pool which indicates the number of tasks assigned to each resource.

The Action relies on various passages in Knappe and Milovanovic for its rejection of independent claim 21. Applicants respectfully submit, however, that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 21 for at least the reasons set forth below.

As discussed above, Knappe does not teach or suggest first determining if a particular call can be assigned to a DSP on a best fit basis. Thus, Knappe does not teach or suggest at least "first determining if a task can be assigned to a resource on a best fit basis utilizing a best fit pool which indicates the resources that would be substantially fully loaded by a task in the associated resource group, the codecs in each resource group requiring substantially the same amount of resources," as recited in independent claim 21.

Additionally, Knappe does not teach or suggest "if a task can not be assigned on a best fit basis, assigning the task to a resource utilizing a load balancing pool which indicates the number of tasks assigned to each resource," as noted in the Action at page 10, paragraph 38.

Milovanovic does not cure the deficiencies of Knappe. As discussed above, Milovanovic does not teach or suggest if a call can not be assigned on a best fit basis, assigning said particular call on a load balancing basis so as to balance the load on the plurality of DSPs. Thus, Milovanovic does not teach or suggest at least "if a task can not be assigned on a best fit basis, assigning the task to a resource utilizing a load balancing pool which indicates the number of tasks assigned to each resource," as recited in independent claim 21.

Therefore, Applicants respectfully submit that Knappe and Milovanovic, taken individually or in combination, do not teach or suggest all of the features recited in independent claim 21.

Accordingly, the 35 U.S.C. § 103(a) rejection of independent claim 21 should be withdrawn.

Dependent claims 22 and 23 depend directly or indirectly from independent claim 21 and are allowable for at least the reasons presented above with respect to the parent claim 21. Dependent claims 22 and 23 are also individually patentable.

Accordingly, applicants respectfully submit that the 35 U.S.C. § 103(a) rejections of dependent claims 22 and 23 should be withdrawn.

New Claims 24-26

Dependent claims 24-26 are added. No new matter is added. Support for these claims can be found in the present application at page 6, lines 5-8, and page 9, lines 16-19, for example.
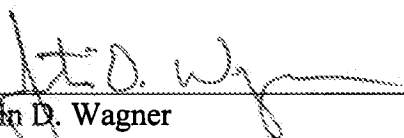
Conclusion

Applicants submit that the present application is in condition for allowance and such action is respectfully requested.

The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Customer No. 20575

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

Justin D. Wagner
Reg. No. 54,519

210 S.W. Morrison Street, Suite 400
Portland, Oregon 97204
503-222-3613